

REMARKS

Claims 1-6, 8-16 and 18-22 are pending in this application, with claims 1 and 11 being amended, claims 7 and 17 being cancelled, and claims 21 - 23 being added by this response.

Claims 1 and 11 have been amended to further define the present invention. The menu generator is further defined as “generating a composite window including a first panel for displaying user specified parameters of said ordered acquired data in a graphical format, a second panel for displaying user specified parameters of said ordered acquired data in tabular format, and a third panel for displaying a user selected one of user-entered medical notes, medical laboratory results, and ventilator data.” The second panel has been further defined to include “a slider bar for navigating through the user specified parameters in tabular format.” The first panel has been further defined to include “a cursor, said cursor being controlled by said slider bar to navigate through said user specified parameters in graphical format concurrently with navigating through said user specified parameters in tabular format.” Support for these amendments can be found throughout out the specification, and specifically on page 7, line 29 to page 8, line 10 and Figure 3, as well as in the original claims. Applicant respectfully submits that no new matter has been added by these amendments.

Claims 21 and 22 have been added to include an additional feature, namely “a scalability icon for specifying a time scale of the displayed acquired data in both said graphical and tabular format.” Support for these new claims can be found throughout the specification, and specifically on page 7, lines 20-25 and Figure 3. Claim 23 has been added to further clarify the invention, namely, “concurrent navigation comprises navigation through substantially synchronized user specified parameters in graphical format and tabular format.” Support for this new claim can be found throughout the specification, and specifically on page 7, line 29 to page 8, line 10 and Figure 3. Thus, Applicant respectfully submits that no new matter has been added by these claims.

Rejection of Claims 11 - 15 under 35 U.S.C. 102(e)

Claims 11 - 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Wallace et al. (U.S. Patent No. 6,305,373). These claims, as amended, are deemed to be patentable for the reasons given below.

Claim 11 of the present invention provides a method for displaying medical information derived from a plurality of sources. Data associated with a patient is acquired from at least one of a plurality of sources. The acquired data is prioritized for display in a desired order. A composite window is generated for displaying the ordered acquired data in a graphical format in a first panel, displaying user specified parameters of the ordered acquired data in tabular format in a second panel, and displaying a user selected one of user-entered medical notes, medical laboratory results, and ventilator data in a third panel. The second panel includes a slider bar for navigating through the user specified parameters in tabular format. The first panel includes a cursor controlled by the slider bar to navigate through the user specified parameters in graphical format concurrently with navigating through the user specified parameters in tabular format. These features are neither shown nor suggested by Wallace.

Wallace describes a user-friendly graphic interface for use in setting up and carrying out a wide variety of respiratory therapies. The system allows “great flexibility in the setup of the ventilator and the thresholding and display of alarms...[T]he invention allows the setup of alarms by the user so that graphic, aural and visible alarms of various urgency may be displayed to the user, and the setup of alarms is displayed graphically as well so that the ease of use and alarm setup is enhanced” (column 5, lines 45-52). However, Wallace neither discloses nor suggests “generating a composite window for displaying said ordered acquired data in a graphical format in a first panel, displaying user specified parameters of said ordered acquired data in tabular format in a second panel, and displaying a user selected one of user-entered medical notes, medical laboratory results, and ventilator data in a third

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panel” as recited in the present claimed invention. Rather, column 3, lines 49-56 of Wallace describes an embodiment of the Wallace invention including “at least two touch sensitive screen displays, a plurality of manual parameter controls” and a description of the manual parameter controls. Applicant respectfully submits that at least two screen displays are not a single composite window composed from multiple panels as in the present claimed invention. Additionally, column 3, lines 14-18 of Wallace merely recites “the use of a digitally encoded knob for altering selected and displayed values of ventilation parameters, with the acceptable values indicated and unacceptable values alarmed and/or limited to preventing harm to the patient.” Applicant respectfully submits that this passage and elsewhere in Wallace neither discloses nor suggests “generating a composite window for displaying said ordered acquired data in a graphical format in a first panel, displaying user specified parameters of said ordered acquired data in tabular format in a second panel, and displaying a user selected one of user-entered medical notes, medical laboratory results, and ventilator data in a third panel” as recited in the present claimed invention.

Applicant further respectfully submits that Wallace neither discloses nor suggests “navigating through the user specified parameters in tabular format by positioning a slider bar included in said second panel; and controlling a cursor included in said first panel, said cursor being controlled by said slider bar to navigate through said user specified parameters in graphical format concurrently with navigating through said user specified parameters in tabular format” as recited in the present claimed invention.

Wallace also neither discloses nor suggests “displaying the acquired data within a user-selected time frame” as recited in claim 13 of the present claimed invention. Rather, column 7, lines 12-15 of Wallace describes starting a timer and recording the value of the time at any given instant. Column 7, lines 54-56 of Wallace describes displaying the values of an individual setting. Applicant respectfully submits that these passages and elsewhere in Wallace neither disclose nor suggest “displaying the acquired data within a user-selected time frame” as recited in the present claimed invention.

In view of the above remarks, it is respectfully submitted that there is no 35 USC 112 enabling disclosure in Wallace et al. that makes the present claimed invention unpatentable. Thus, in view of the above remarks, it is respectfully submitted that claim 11 is not anticipated by Wallace et al. As claims 12-15 are dependent on claim 11, it is respectfully submitted that these claims are also not anticipated by Wallace et al. It is thus further respectfully submitted that this rejection is satisfied and should be withdrawn.

Rejection of Claims 1-10 and 16-20 under 35 U.S.C. 103(a)

Claims 1-10 and 16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wallace et al. (U.S. Patent No. 6,305,373) in view of Schoenberg et al. (U.S. Publication No. 2002/0125256). These claims, as amended, are deemed to be patentable for the reasons given below.

The present claimed invention provides a system for displaying medical information derived from a plurality of sources. A processor acquires data associated with a patient from at least one of the plurality of sources. The processor prioritizes the acquired data for display in a desired order. A menu generator generates a composite window including a first panel for displaying user specified parameters of the ordered acquired data in a graphical format, a second panel for displaying user specified parameters of the ordered acquired data in tabular format, and a third panel for displaying a user selected one of user-entered medical notes, medical laboratory results, and ventilator data. The second panel includes a slider bar for navigating through the user specified parameters in tabular format. The first panel includes a cursor, being controlled by the slider bar to navigate through the user specified parameters in graphical format concurrently with navigating through the user specified parameters in tabular format. These features are neither disclosed nor suggested by Wallace and Schoenberg.

Wallace (and Schoenberg) neither disclose nor suggest “a processor for acquiring data associated with a patient from at least one of the plurality of sources, the processor prioritizing the acquired data for display in a desired order; and a menu generator generating a composite window including a first panel for displaying user specified parameters of said ordered acquired data in a graphical format, a second panel for displaying user specified parameters of said ordered acquired data in tabular format, and a third panel for displaying a user selected one of user-entered medical notes, medical laboratory results, and ventilator data” as recited in the present claimed invention. Contrary to the assertions in the Office Action, column 3, lines 49-56 of Wallace describes an embodiment of the Wallace invention including “at least two touch sensitive screen displays, a plurality of manual parameter controls” and a description of the manual parameter controls. Applicant respectfully submits that at least two screen displays are not a single composite window composed from multiple panels as in the present claimed invention. Additionally, column 3, lines 14-18 of Wallace merely recites “the use of a digitally encoded knob for altering selected and displayed values of ventilation parameters, with the acceptable values indicated and unacceptable values alarmed and/or limited to preventing harm to the patient.” The present claimed invention, on the other hand, provides “an efficient way to process and display the large amount of data from the various medical devices” (Specification, page 2, para. 3). The present claimed invention also allows medical providers to “input and/or retrieve medical observations, diagnosis and laboratory results freely, remotely and in an efficient manner” (Application, page 2, paragraph 3). The present claimed invention provides the user with the entire medical history, including notes, to be studied by the user.

Additionally, Wallace (and Schoenberg) neither discloses nor suggests “said second panel includes a slider bar for navigating through the user specified parameters in tabular format; and said first panel includes a cursor, said cursor being controlled by said slider bar to navigate through said user specified parameters in graphical format concurrently with navigating through said user specified parameters in tabular format” as recited in the present claimed invention. Automatic steps are provided to concurrently navigate through user specified data and parameters in graphical and

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tabular format thereby providing a more efficient means for analyzing and matching data parameters to diagnose the health and condition of a patient. The present claimed invention further increases patient safety by facilitating the determination of a diagnosis by a caregiver to focus their attention on the patient rather than changing the data in the panels to coincide with each other.

It is also respectfully submitted that there is no reason or motivation to combine these two references as Wallace is concerned with entering ventilator settings to control the ventilator and setting appropriate alarm settings while Schoenberg is directed towards providing subsets of data regarding patient medical information to respective groups of users. These references are concerned with entirely different problems in the medical field. Wallace is concerned with facilitating the setting of a ventilator and ventilator alarms. Schoenberg is concerned with providing immediate and selective access to various members of a medical team treating a patient, based on the function performed by each member. Additionally, neither of these references is concerned with concurrently navigating through the display of data in graphical and tabular format as in the present invention.

Additionally, even if these two references were combined, such a combination would produce a system whereby members of a medical team, based on the function they perform, may enter and control settings for the ventilator and alarms. This combination still neither discloses nor suggests “a composite window including a first panel for displaying user specified parameters of said ordered acquired data in a graphical format, a second panel for displaying user specified parameters of said ordered acquired data in tabular format, and a third panel for displaying a user selected one of user-entered medical notes, medical laboratory results, and ventilator data” as recited in the present claimed invention. Additionally, the combination of these two references would also neither show nor suggest “said second panel includes a slider bar for navigating through the user specified parameters in tabular format; and said first panel includes a cursor, said cursor being controlled by said slider bar to navigate through said user specified parameters in graphical format in synchronism with

navigation through said user specified parameters in tabular format” as recited in the present claimed invention.

Applicant further respectfully submits that Wallace (with Schoenberg) neither discloses nor suggests the features of claims 4 and 5 of the present claimed invention, namely, “a cursor is displayed indicating a selected time during the selected time frame” and “a time display field displays the time corresponding to the selected cursor time,” respectively. Rather, column 15, lines 19-26 of Wallace recites “The breath diagram 330 includes a time line 332 that is displayed for **scale purposes only**, an inspiration bar 334 indicating the portion of the total breath duration during which inspiration will take place, an expiration bar 336 indicating the portion of the total breath duration during which expiration will take place.” Thus, this time line merely shows the portions of inspiration and expiration relative to the total breath. This is wholly unlike the present claimed invention whereby “a cursor is displayed indicating a selected time during the selected time frame” and “a time display field displays the time corresponding to the selected cursor time.”

In view of the above remarks, it is respectfully submitted that there is no 35 USC 112 enabling disclosure in either Wallace et al. or Schoenberg et al., when taken alone or in combination, that makes the present claimed invention unpatentable. Consequently, withdrawal of the Rejection of Claims 1 and 18 under 35 USC 103(a) is respectfully requested. As claims 2-6 and 8-10 are dependent on claim 1, it is respectfully submitted that these claims are also not unpatentable over Wallace et al. and Schoenberg et al. Claims 7 and 17 have been canceled by this amendment. As claim 16 is dependent on claim 11, which was discussed previously, it is respectfully submitted that claim 16 is also not unpatentable over Wallace et al. and Schoenberg et al. for the reasons given in connection with claim 11. As claims 19-20 are dependent on claim 18, it is respectfully submitted that these claims are also not unpatentable over Wallace et al. and Schoenberg et al. It is thus further respectfully submitted that this rejection is satisfied and should be withdrawn.

Applicant further respectfully submits that new claims 21 and 22 are

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dependent on claims 1 and 11, respectively, and are thus patentable for the reasons given in connection with claims 1 and 11. It is further respectfully submitted that neither Wallace nor Schoenberg, alone or in combination, provides the feature of new claims 21 and 22, namely, "a scalability icon for specifying a time scale of the displayed acquired data in both said graphical and tabular format." The user is able to change the scale of the displayed data, thereby expanding or compressing the data displayed in the tabular and graphical panels. The compressed display of the data when a smaller scale is used provides a more detailed presentation of the data. The expanded display of the data, on the other hand, is achieved when a larger scale is used and thereby displays a trend of the data (Specification page 7, lines 15-19). Patent safety is enhanced by providing the caregiver with the ability to change the view of the data. The caregiver decides which view will provide them with the needed information, namely a detailed look at the parameters or a parameter trend, at that particular moment.

New claim 23 is dependent on claim 1, and thus patentable for the reasons given in connection with claim 1. It is further respectfully submitted that neither Wallace nor Schoenberg, alone or in combination, provides the features of new claim 23, namely "concurrent navigation comprises navigation through substantially synchronized user specified parameters in graphical format and tabular format."

Having fully addressed the Examiner's rejections, it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at the phone number below, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Enclosed please find a credit card charge authorization form authorizing a charge of \$50.00 to cover the fee for the addition of one dependent claim over the allowed limit of twenty claims and not previously paid for.

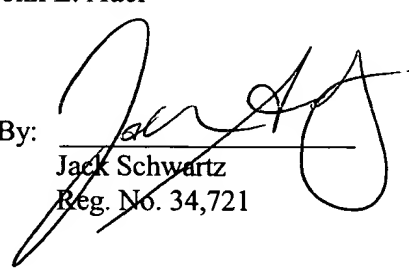
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No additional fee is believed due. However, if a fee is due, please charge the additional fee to Deposit Account 50-2828.

Respectfully submitted,
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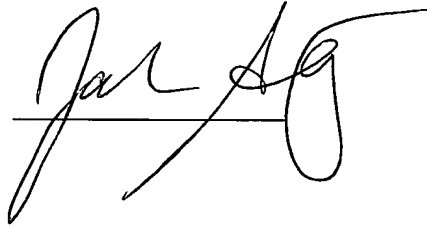
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A handwritten signature in black ink, appearing to read "Jan A. G.", is written over a horizontal line.